

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 70

By: Simpson of the Senate

3 and

4 Hardin (Tommy) of the House

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7 [higher education - dependents of military personnel
8 - eligibility for in-state status - effective date -
emergency]

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11 AMENDMENT NO. 1. Delete the stricken title, enacting clause and
12 entire bill and replace with:

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15 "An Act relating to higher education; amending
16 Section 1, Chapter 290, O.S.L. 2012, as amended by
17 Section 1, Chapter 141, O.S.L. 2015 (70 O.S. Supp.
18 2020, Section 3247), which relates to in-state
19 status for dependents of military personnel;
20 modifying eligibility for in-state status for
21 certain students; updating statutory language;
22 providing an effective date; and declaring an
23 emergency.

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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L.
22 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S.
23 Supp. 2020, Section 3247), is amended to read as follows:

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1 Section 3247. A. A student shall be eligible for in-state
2 status regardless of the residency of the student if the student is
3 a:

4 1. Dependent child or spouse of a person currently serving as a
5 member of the active uniformed services of the United States on
6 full-time active duty status of more than thirty (30) days and for
7 whom Oklahoma is the home of record;

8 2. Dependent child or spouse of a person currently serving as a
9 member of the military reserve on active duty orders of more than
10 thirty (30) days and for whom Oklahoma is the home of record;

11 3. Person, or spouse or dependent child of a person, currently
12 serving as a member of the uniformed services of the United States
13 who is on full-time active duty for a period of more than thirty
14 (30) days and is stationed or temporarily present in Oklahoma
15 through military orders;

16 4. Person, or spouse or dependent child of a person, who was
17 discharged or released from a period of not fewer than ninety (90)
18 days of active uniformed service, less than ~~five (5)~~ ten (10) years
19 before the date of enrollment in the course(s) concerned and for
20 whom Oklahoma is the home of record; or

21 5. Person who is participating in or has received a partial or
22 full scholarship from the Air Force Reserve Officers' Training
23 Corps, Army Reserve Officers' Training Corps or the Navy/Marines
24 Reserve Officers' Training Corps.

1 B. To be eligible for in-state status as provided for in
2 subsection A of this section and to maintain eligibility, the
3 student shall:

4 1. Satisfy admission and retention standards as determined by
5 the Oklahoma State Regents for Higher Education for an institution
6 within The Oklahoma State System of Higher Education; and

7 2. Have secured admission to and enrolls full-time or part-time
8 in a program of study at an institution within The Oklahoma State
9 System of Higher Education.

10 C. A student who files with the institution within The Oklahoma
11 State System of Higher Education at which the student intends to
12 register a letter of intent to establish residence in the state and
13 who resides in the state while enrolled in the institution shall be
14 eligible for in-state status, regardless of the residency of the
15 student or home of record, if the student:

- 16 1. Is a person who:
- 17 a. was discharged or released from a period of not fewer
18 than ninety (90) days of active duty uniformed
19 service, less than ~~five (5)~~ ten (10) years before the
20 date of enrollment in the course(s) concerned, and
 - 21 b. is pursuing a course of education with educational
22 assistance under Chapter 30 or 33 of Title 38 of the
23 United States Code while living in this state; or

24 2. Is a person who:

1 a. is entitled to assistance under Section 3311(b)(9) or
2 3319 of Title 38 of the United States Code by virtue
3 of a relationship to a person who was discharged or
4 released from a period of not fewer than ninety (90)
5 days of active duty uniformed services, and

6 b. enrolls in the course(s) concerned within ~~five (5)~~ ten
7 (10) years of the date the related person was
8 discharged or released from a period of not fewer than
9 ninety (90) days of active duty uniformed services.

10 D. To be eligible for in-state status as provided for in
11 subsection C of this section and to maintain eligibility, the
12 student shall:

13 1. Satisfy admission and retention standards as determined by
14 the Oklahoma State Regents for Higher Education for an institution
15 within The Oklahoma State System of Higher Education; and

16 2. Have secured admission to and enrolls full-time or part-time
17 in a program of study at an institution within The Oklahoma State
18 System of Higher Education.

19 E. A student who meets the eligibility requirements for in-
20 state status shall maintain in-state status if the student remains
21 continuously enrolled at an institution within The Oklahoma State
22 System of Higher Education after the student:

1 1. As described in ~~paragraphs~~ paragraph 1, 2 or 3 of subsection
2 A of this section is discharged or released from active duty
3 service;

4 2. As described in paragraph 4 of subsection A of this section
5 or ~~paragraph~~ paragraphs 1 and 2 of subsection C of this section
6 exceeds the ~~five-year~~ ten-year period after being discharged or
7 released from active duty uniformed service;

8 3. As described in paragraph 1 of subsection C of this section
9 has exhausted education assistance provided under Chapter 30 or 33
10 of Title 38 of the United States Code; or

11 4. As described in paragraph 2 of subsection C of this section
12 has exhausted education assistance provided under Section 3311(b) (9)
13 or 3319 of Title 38 of the United States Code.

14 F. For purposes of this section, "home of record" means the
15 place where one was living when the person enlisted or was
16 commissioned into the military or reenlisted in the military.

17 G. The Oklahoma State Regents for Higher Education shall
18 develop policies and procedures necessary to implement the
19 provisions of this section.

20 SECTION 2. This act shall become effective July 1, 2021.

21 SECTION 3. It being immediately necessary for the preservation
22 of the public peace, health or safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval."

1 Passed the House of Representatives the 22nd day of April, 2021.

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4 Presiding Officer of the House of
5 Representatives

6 Passed the Senate the ____ day of _____, 2021.

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9 Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 70

By: Simpson of the Senate

3 and

4 Hardin (Tommy) of the House

5
6 [higher education - dependents of military personnel
7 - eligibility for in-state status - effective date -
8 emergency]

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 4. AMENDATORY Section 1, Chapter 290, O.S.L.
12 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S.
13 Supp. 2020, Section 3247), is amended to read as follows:

14 Section 3247. A. A student shall be eligible for in-state
15 status regardless of the residency of the student if the student is
16 a:

17 1. Dependent child or spouse of a person currently serving as a
18 member of the active uniformed services of the United States on
19 full-time active duty status of more than thirty (30) days and for
20 whom Oklahoma is the home of record;

21 2. Dependent child or spouse of a person currently serving as a
22 member of the military reserve on active duty orders of more than
23 thirty (30) days and for whom Oklahoma is the home of record;

24

1 3. Person, or spouse or dependent child of a person, currently
2 serving as a member of the uniformed services of the United States
3 who is on full-time active duty for a period of more than thirty
4 (30) days and is stationed or temporarily present in Oklahoma
5 through military orders;

6 4. Person, or spouse or dependent child of a person, who was
7 discharged or released from a period of not fewer than ninety (90)
8 days of active uniformed service, less than five (5) years before
9 the date of enrollment in the course(s) concerned and for whom
10 Oklahoma is the home of record; or

11 5. Person who is participating in or has received a partial or
12 full scholarship from the Air Force Reserve Officers' Training
13 Corps, Army Reserve Officers' Training Corps or the Navy/Marines
14 Reserve Officers' Training Corps.

15 B. To be eligible for in-state status as provided for in
16 subsection A of this section and to maintain eligibility, the
17 student shall:

18 1. Satisfy admission and retention standards as determined by
19 the Oklahoma State Regents for Higher Education for an institution
20 within The Oklahoma State System of Higher Education; and

21 2. Have secured admission to and enrolls full-time or part-time
22 in a program of study at an institution within The Oklahoma State
23 System of Higher Education.

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1 C. A student who files with the institution within The Oklahoma
2 State System of Higher Education at which the student intends to
3 register a letter of intent to establish residence in the state and
4 who resides in the state while enrolled in the institution shall be
5 eligible for in-state status, regardless of the residency of the
6 student or home of record, if the student:

7 1. Is a person who:

8 a. was discharged or released from a period of not fewer
9 than ninety (90) days of active duty uniformed
10 service, less than ~~five (5)~~ ten (10) years before the
11 date of enrollment in the course(s) concerned, and

12 b. is pursuing a course of education with educational
13 assistance under Chapter 30 or 33 of Title 38 of the
14 United States Code while living in this state; or

15 2. Is a person who:

16 a. is entitled to assistance under Section 3311(b) (9) or
17 3319 of Title 38 of the United States Code by virtue
18 of a relationship to a person who was discharged or
19 released from a period of not fewer than ninety (90)
20 days of active duty uniformed services, and

21 b. enrolls in the course(s) concerned within five (5)
22 years of the date the related person was discharged or
23 released from a period of not fewer than ninety (90)
24 days of active duty uniformed services.

1 D. To be eligible for in-state status as provided for in
2 subsection C of this section and to maintain eligibility, the
3 student shall:

4 1. Satisfy admission and retention standards as determined by
5 the Oklahoma State Regents for Higher Education for an institution
6 within The Oklahoma State System of Higher Education; and

7 2. Have secured admission to and enrolls full-time or part-time
8 in a program of study at an institution within The Oklahoma State
9 System of Higher Education.

10 E. A student who meets the eligibility requirements for in-
11 state status shall maintain in-state status if the student remains
12 continuously enrolled at an institution within The Oklahoma State
13 System of Higher Education after the student:

14 1. As described in ~~paragraphs~~ paragraph 1, 2 or 3 of subsection
15 A of this section is discharged or released from active duty
16 service;

17 2. As described in paragraph 4 of subsection A of this section
18 or ~~paragraph~~ paragraphs 1 and 2 of subsection C of this section
19 exceeds the five-year period after being discharged or released from
20 active duty uniformed service;

21 3. As described in paragraph 1 of subsection C of this section
22 has exhausted education assistance provided under Chapter 30 or 33
23 of Title 38 of the United States Code; or

1 4. As described in paragraph 2 of subsection C of this section
2 has exhausted education assistance provided under Section 3311(b) (9)
3 or 3319 of Title 38 of the United States Code.

4 F. For purposes of this section, "home of record" means the
5 place where one was living when the person enlisted or was
6 commissioned into the military or reenlisted in the military.

7 G. The Oklahoma State Regents for Higher Education shall
8 develop policies and procedures necessary to implement the
9 provisions of this section.

10 SECTION 5. This act shall become effective July 1, 2021.

11 SECTION 6. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15 Passed the Senate the 9th day of March, 2021.

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Presiding Officer of the Senate

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19 Passed the House of Representatives the ____ day of _____,
20 2021.

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Presiding Officer of the House
of Representatives

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